In the High Court of Uttaranchal, at Nainital.

(Stay Application No. 10193/2006)

in

Criminal Writ Petition No. 990/2006(M/B)

Sekhar Joshi S/o P.C. Joshi
R/o Pandey Niwas, Kaladhungi Road
Haldwani, Nainital
District Nainital ... Petitioner.

Versus

1- State of Uttaranchal,
through Secretary (Home)
Dehradun, District Dehradun.

2- S.H.O. Haldwani,
District Nainital.

3- Mohd. Tarik, President
Haldwani Cable Operator Society,
Ashirwad Bhawan, Badripura Haldwani
District Nainital ... Respondents.

Sri Lalit Sharma, learned counsel for the petitioner.
Sri D.K. Sharma, learned G.A. for the State.
Sri Navneet Kaushik, learned counsel for the respondent No.3.

Hon'ble B.C. Kandpal, J.

Hon'ble Prafulla C. Pant, J.

By way of this petition the petitioners have sought the following reliefs:-

(a) To issue a writ, order or direction in the nature of certiorari quashing the impugned F.I.R. dated 1-8-2006, lodged at P.S. Haldwani, District Nainital, contained in Annexure No. 1 to the writ petition.

(b) To issue a writ, order or direction in the nature of mandamus directing the respondent Nos. 1 and 2 not to take any coercive method including the arrest of the petitioners in respect of case crime No. 4453/2006 registered in pursuance to the impugned F.I.R. lodged on 1.8.2006.

2- Heard Sri Lalit Sharma, learned counsel for the petitioner, learned G.A., Sri Navneet Kaushik, learned counsel for the respondent No.3. and perused the record.

3- Having considered the arguments advanced by the learned counsel for the parties and after perusal of the material available before us, we are of the opinion that the indulgence of the court is not required in the matter at this stage.

4- The writ petition lacks merit and is dismissed in limine.

5- The stay application also stands rejected.

(P.C. Pant, J.) **(B.C. Kandpal, J.)**

Dated: 11-08-2006
ISB